

THURSDAY, JUNE 8, 2006

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The following action minutes are listed as they were acted upon by the Planning Commission and as listed on the agenda for the Regular Meeting of June 8, 2006 together with the maps and staff reports attached thereto and incorporated therein by reference.

**PRESENT:** Commissioners Sarah Christie, Bruce Gibson, Penny Rappa, Bob Roos and Chairperson Eugene Mehlschau

**ABSENT:** None

**PLEDGE OF ALLEGIANCE TO THE FLAG LED BY CHAIRPERSON MEHLSCHAU.**

**PUBLIC COMMENT**

This is the time set for members of the public wishing to address the Commission on matters other than scheduled items.

**Eric Greening:** states he has been anticipating the process of updating the Conservation Element. He discusses the need for expertise regarding cultural and biological resources. He asks if the Planning Commissioner determines the method the Conservation Element is processed.

**STAFF UPDATES**

Warren Hoag: Planning Staff discusses the final changes to the Policies and Procedures. He comments on the Conservation Element process and states John Euphrat is the divisional supervisor and can answer any questions. . .

**CONSENT**

- a. May 11, 2006 Planning Commission minutes
- b. GENERAL PLAN CONFORMITY REPORT – the Planning Director has issued the following General Plan conformity report. This is a notice of a completed conformity report to the Planning Commission as required by Section B, Chapter 7 of Framework for Planning, Part 1 of the county Land Use Element, and is being provided for public information only. No action need be taken by the Planning Commission except to **Receive and File** the report. The decision to issue a General Plan conformity report is solely at the discretion of the Planning Director, although appeals of the Planning Director's determination may be made in accordance with the provisions of the Land Use Ordinance.  
(Recommend Receive and File)
  1. Notice of determination of conformity with the General Plan for the sale of an approximately 1.8 acre property by the **County of San Luis Obispo, Department of General Services**, to the South San Luis Obispo County Sanitation District. The project is in the Public Facilities Land Use Category and located at 560 Airpark Drive in the Community of Oceano, APN: 061-091-018 & -029, in the San Luis Bay (Coastal) Planning Area, Supervisorial District No. 4. County File Number: DTM2005-00002. Josh LeBombard, Project Manager
- c. **TRACT 2511 (S020158U): 2nd Time Extension Request** from **CHAD WITTSTROM** for a Vesting Tentative Tract Map and Conditional Use Permit to allow a subdivision of a 26.6 acre parcel into six parcels, including five parcels of 2.5 acres in size and one parcel of 13.88 acres. Development includes

two access roads, driveways and building pads and road and drainage improvements on Villa Lots Road, in the Residential Rural Land Use Category. The property is located in the county on the north side of Villa Lots Road, approximately 0.7 miles northwest of Vine Street and 36<sup>th</sup> Street intersection immediately north of the city of Paso Robles, APN: 018-011-003, in the Salinas River Planning Area. County File Number: S020158U/TR 2511. Supervisorial District No.1.

- d. **TRACT 2517 (S020426T): 1st Time Extension Request** from **CASEY KEMPENAR and JEREMY FREUND of THE WALLACE GROUP** for a Vesting Tentative Tract Map to subdivide an existing 26.42 acre parcel into five parcels of approximately five acres each. The project is located on the southeastern corner of Via Concha and Dawn Roads, approximately 1/4 mile south of Willow Road, north west of the community of Nipomo, in the South County (Rural) Planning Area and in the Residential Rural Land Use Category. APN: 091-221-004. County File Number: S020426T/ TR 2517. Supervisorial District #4.

**Eric Greening:** comments on Consent Item B-1 regarding the General Plan Conformity issue regarding hazardous material. He discusses levee near Arroyo Grande Creek and the potential of flooding and the release of hazardous material.

**Nancy Graves:** discusses her concerns regarding trails. Commissioners determine she is discussing concerns related to Item 1 and defer her testimony until Item 1.

**Commissioner Roos:** discusses Consent Item B-1 and asks if they are transferring land from one public agency to another without changes.

**Warren Hoag:** Planning Staff, states the county does not plan physical changes to the property.

**Commissioner Christie:** comments on the General Plan Conformity. She states there is no public notice sent or opportunity to appeal. Hopes Mr. Greening will follow this process to the Board of Supervisors.

**Commissioner Roos:** thought the Planning Director would make a determination if this is the right process for the conformity plan.

**Commissioner Gibson:** comments on his concerns with the process of conformity reports and hopes staff will review the process and make amendments. He states this project is in conformity, and will support to receive and file of this item.

**Thereafter, on motion of Commissioner Roos, seconded by Commissioner Rappa and on the following vote:**

**AYES: Commissioners Roos, Rappa, Christie, Gibson and Chairperson Mehlschau**  
**NOES:**

**consent agenda Items a thru d are approved with the minutes of May 11, 2006, page 8, amended to read: "Commissioner Gibson: discusses multi-family use. County should have a clear land use element for attached housing, density and size of units. Comments on his concerns because this project does not meet the standards regarding the layout of units to be varied, so as to avoid long straight lines, enough common open space, the houses are densely packed, and no active playground area shown in the plan. The applicants should provide public access through Lot 26 and 27".**

1. A Joint Study Session with the Parks and Recreation Commission on a request by the **COUNTY OF SAN LUIS OBISPO** to amend the County's General Plan by adopting a Parks and Recreation Element (PRE) and rescinding the 1968 Recreation Element, the 1991 Trails Plan, and the 1988 Parks and Recreation Master Plan. In addition, related amendments are proposed for the Framework for

Planning, the Agriculture and Open Space Element, various Area Plans and the County Land Use Ordinance, Title 22 of the County Code, as they relate to parks and recreation. The PRE proposes policies and programs to acquire, develop, and maintain parks, recreation and special places within San Luis Obispo County. It is a major tool for identifying existing and future parkland, recreation, and natural areas. A Draft Environmental Impact Report (DEIR) has been prepared for the proposed project. The DEIR evaluates the environmental consequences of implementing the policies, programs and standards proposed in the PRE update and identifies mitigation for environmental effects that are considered avoidable. The issues addressed in the DEIR include: consistency with locally adopted plans and policies; public services; hydrology and water quality; geology and seismicity; biological resources; cultural resources; and other issues. The DEIR also evaluates cumulative effects, growth inducement and alternatives to the proposed update. The DEIR is available for public review and comment until June 16, 2006. Comments received before June 16, 2006 will be incorporated in the Final Environmental Impact Report (FEIR). **County File Number: LRP2005-00015.** Supervisorial District: All

**Commissioner Gibson:** notes he has an area of conflict of interest because a couple of the trail corridors are close to his home property. He will step down at that time.

**Commissioner Rappa:** states she also will have a conflict of interest also and will step down when appropriate.

**Peter Jenny:** Parks Manager, introduces members: Dorothy Jennings, District 1; Pandora Nash-Karner, District 2; Terry Eberhardt, District 3; Paul Teixeira, District 4; Rick Mathews, District 5. Introduces Parks staff. Pete Jenny, Parks Manager; Jan DiLeo, Parks Planner; Kami Griffin, Planning Staff; Jeff Oliveira, Planning Staff; Chris Clark, Crawford Multari & Clark Associates. Major Issues considered, sustainability, uniform decision making, balancing agriculture and public access.

**Jan DiLeo:** Parks Planner, gives background, discusses the next steps, the PRE intent, major issues, dialogue between the Planning Commission and the Parks and Recreation Commission. She discusses the consolidation of the 1968 Recreation Element, 1988 Parks and Recreation Master Plan, 1991 Trails Plan, and 1992 Natural Areas Plan. She gives history of the Public Review Draft PRE. Discusses the workshops held in 2004 in the north county, coastal and south county and the results from the workshops. She discusses the Parks and Recreation Commission Review that occurred between September 2004 and October 2005. Released the Planning Commission Review Draft PRE March of 2006. The draft Environmental Impact Report (DEIR) released April of 2006. Formed an Ag/Trail Team and resumed public hearing with Ag/Trail Team revisions. PRC approved changes which resulted in Planning Commission Review Draft PRE that is before you today. Plans to have a draft to the Board of Supervisors by the fall of 2006. Discusses the draft EIR and states the deadline for comments is June 16, 2006 at 5 p.m. The PRE will provide a 20 year vision for parks and recreation, and natural areas within San Luis Obispo County; address community desires and needs; provide a mechanism for obtaining grants and consolidate Parks documents. Discusses what PRE will not do: specific recreation, address specific park, natural area or recreation sites; specific joint use agreements and prioritize individual projects.

**Chris Clark:** Crawford Multari & Clark Associates, gives the layout of the discussion today: 1) Introduction, 2) Parks, 3) Recreation, 4) Special Places & Use, 5) Choosing Parks and Recreation, 6) Funding & Maintenance, 7) Definitions. He discusses Appendices a) Project List b) California Recreational Use Statute c) Trail Standards d) Funding Sources e) Capital Project Rating Criteria f) Consolidated Goals, Objectives & Policies. He discusses major issues raised concerning sustainability, uniform decision making, balancing agriculture and public access. Comments on the draft EIR and states most impacts could be mitigated. The deadline for comments on the Draft EIR is June 16, 2006 at 5:00 p.m.

**Jan DiLeo:** Parks Planner, states time is reserved on the July and August Planning Commission agenda and they will advertise when the different items will be discussed.

**Dorothy Jennings:** states a 35 year old document is an ancient document. States she has worked for 3 years with Ms. DiLeo and Mr. Jenny, consultant Chris Clark and the Parks Commission to update the

documents. At the different workshops, citizens expressed their concerns regarding land and trails once freely enjoyed taken because of development. They also spoke of county plans not executed because of lack of funds. She has talked with many people regarding the use of parks from horse shoes to birding. She discusses some of the important topics: youth activities, family-oriented recreation facilities and safe places for seniors to amble. Open space ranked very high. She states the citizens want to be part of the process.

**Pandora Nash-Karner:** states the Park Commissioners traveled the county to get public input regarding what they wanted and didn't want from a healthy park system. The Draft Parks and Recreation Element is about shaping our communities. She addresses the protection and sustainable development of parks, natural areas and the environment. Parks create health benefits, reduction in juvenile crime, increased property values, increased productivity in the workforce, environmental benefits, preservation of natural habit, economic benefits, and increased revenue to cities and counties. Without a Park and Recreation document we are losing opportunities for more parks

**Paul Teixeira:** thanks Ms. Nash-Karner and Ms. Jennings for their work.

**Commissioner Mehlschau:** states he is very pleased with the element and thanks the Parks and Recreation Commission for their hard work.

**Commissioner Roos:** asks if the public comments on the draft EIR today will be addressed by staff or should the public write down their comments and mail it to the staff.

**Pete Jenny:** Parks Manager, responds staff will answer either way.

**Commissioner Rappa:** thanks staff from General Services and Parks and Recreation Commission for their hard work. We have ability to fund our parks, trails. She states the parks are a big benefit.

**Commissioner Christie:** thanks the Parks & Recreation Commission for their hard work on the element. States they have two documents before them, Draft Element and Draft EIR. Are we going through the EIR today or when it is final?

**Kami Griffin:** Planning Staff, responds at the hearings, the commissioners will have both the Draft Element and the Final EIR and will discuss both of them.

**Peter Jenny:** Parks Manager, states the Parks and Recreation Element will be used as an optional element for land use decision.

**Commissioner Christie:** discusses the benefits of an adopted element.

**Commissioner Gibson:** thanks Parks and Recreation Commission for their hard work.

**Nancy Graves:** encourages commissioners to read the SB18 report. She supports the draft Parks and Recreation Element. She discusses the need to plan for growth and a healthy way of life. She comments on the element having a more realistic view of trail types. She would like the California Coastal Trail to have the same funding as inland trail.

**Eric Greening:** ECHOSLO in support of this element. She states her concerns with the circulation element, cultural resources. He comments on amending page 52 under Setting, regarding the Chumash. On page 53 last paragraph he states statements about the Chumash are equally true of the Salinan's. He discusses the need for pedestrian and bicycle circulation. He asks the commission to give the California Coastal Trail equal weight.

**Joy Fitzhugh:** SLO County Farm Bureau, thanks everyone for sitting on the review committee. She discusses the recommendation of 14 trails to be removed from the element. States there are 3 to 6 more trails that could be considered for removal. She agrees with Parks and Recreation Commission recommendation.

**Commissioner Roos:** asks Ms. Fitzhugh to send a list of the 3 to 6 trails the Farm Bureau wants considered for removal prior to the hearing.

**Ken Whittle:** supports the DEIR. Thanks the commission for their hard work.

**Brian Brown:** thanks the Parks and Recreation Commission for their hard work. He discusses trails and his concerns regarding safety. He discusses the danger of bikes sharing the road with cars.

**Adam Fukushima:** SLO County Bicycle Coalition, thanks the Parks and Recreation Commission for their work on the draft element. Comments on the need for trails incorporated into the county.

**Kathy Hutstoe:** thanks everyone for their work. She comments on concerns for the future and would like the commission to look 20 years in the future.

**Brian Brown:** has concerns regarding the spreading of weeds from horse trails and requests it be addressed in the EIR .

**Commissioner Roos:** asks why the California Coastal Trails are not on the map.

**Jan DiLeo:** Parks Planner, responds they have been working on it. They have a draft coastal trail report. States staff will locate the Coastal trails at a later date.

**Commissioner Roos:** asks about the trail Mr. Brown discussed.

**Jan DiLeo:** Parks Planner, responds it is the Cypress Road/Santa Rosa Creek Road and this trail is one of the trails requested to be deleted.

**Commissioner Christie:** states some trails do not make sense, but can't see the harm in leaving a designation in place, rather than deleting them.

**Commissioner Roos:** states he likes the document and it was easy to read. Asks how the Park Commissioners decided which trails to remove or leave with Ms. Jennings responding through negotiations

**Rick Mathews:** responds to Commissioner Roos' question stating they take each trail and decide if it was important enough to build. He states they took them case by case.

**Commissioner Christie:** was it because of public opposition that certain trails were removed.

**Commissioner Rappa:** history shows we had support from different groups. We need to state that we encourage private funding. She states mobilehome parks have developed their own private recreation and hiking areas. States trails and facility should be located next to population.

**Commissioner Christie:** asks if the commission will go through the element page by page at the hearings. She states funding is inadequate. She disagrees that we should not start a park unless we can fund it and does not want the Parks & Recreation to pass up the opportunity to acquire land for parks. She discusses the comment from Nancy Graves regarding coastal trails.

**Rick Mathews:** states one possibility is to have a wide enough easement for the trail.

**Pete Jenny:** Parks Manager, discusses having a corridor in place for future trails.

**Commissioner Christie:** discusses funding issue. Require public to bond for trails.

**Pete Jenny:** Parks Manager, discusses future project paying into a fund. Getting the easement is the important issue.

**Commissioner Christie:** access is important but getting the funding is also important. She comments on the effective use of the document to get the key trail by easement, funding or bonding.

**Tim McNulty:** County Counsel, states bonding is only for a set length of time.

**Commissioner Christie:** discusses a program where the fees apply to all applicants and that fee goes into a bank.

**Tim McNulty:** County Counsel, states the county already collects a fee designed to address the Parks and Recreation impacts.

**Commissioner Christie:** discusses having the fees apply only for projects adjacent to trails.

**Commissioner Gibson:** asks if fees could be adjusted within the Quimly fee determination if adjacent to a trail.

**Tim McNulty:** County Counsel, states a professional would need to advise the county if we can charge a fee and the county would need facts.

**Commissioner Gibson:** discusses the acquisition of property without having operating funds. He asks if a local non-profit could provide maintenance, with staff responding.

**Pete Jenny:** Parks Manager, discusses the purchase of the Dana Adobe and leasing it back to the Friends of Dana Adobe. Parks Department is always looking for opportunities to partner with others.

**Commissioner Gibson:** take opportunities as they come up. County does not have many recreation programs for the public.

**Commissioner Jennings:** responds the opportunities are low

**Commission Gibson:** asks if Parks has thought of County/City coordination? Do you have county/city programs?

**Pete Jennings:** Parks Manager, responds they are working with the City of San Luis Obispo. He states they have made county parks just outside city limits available for the city to use for sport activities.

**Commissioner Gibson:** discusses Chapter 5 and inquires about the "Decision Tree" regarding the decision where resources will be spent geographically.

**Pete Jenny:** Parks Manager: responds they try to balance the resources. There is more money for projects along the coast than for funding playgrounds in the inland areas.

**Pandora Nash-Karner:** this document will solidify communications between the different departments. She discusses projects of opportunity.

**Commissioner Christie:** inquiries about the duties of the Parks & Recreation Commission? She asks if the Parks and Recreation Commission see the Planning Commission Agenda's. It would be nice to get comments from the Parks and Recreation Commission on some of the projects.

**Paul Teixeira:** thinks it would be great to receive the Planning Commission agenda's.

**Jan DiLeo:** Parks Planner, states the Planning Department sends over referrals. She states they don't take every referral to the Parks & Recreation Commission.

**Commissioner Rappa:** states at least the Planning Commission agenda's could be given to the Parks and Recreation Commissioner's.

**Commissioner Roos:** would like input from the Parks and Recreation Commissioner, for example in Nipomo. It would help to assure there is adequate open space in subdivisions.

**Pete Jenny:** Parks Manager, states they can't take all projects to the Parks and Recreation Commissioners. He states another study session may be in order to decide the appropriate projects to bring to the Parks and Recreation Commission.

**Commissioner Mehlschau:** would like to involve the Parks and Recreation Commission in the decisions that involve recreation.

**Terry Eberhardt:** compliments staff and consultants and states the report is excellent. He discusses the Vision section in Chapter 1. He states the budget issue is important, but not part of this element. Adoption of the draft will give the county a vision regarding their goals for the next 20 years.

**Rick Mathews:** thinks the element is a great document and states the vision is proactive and positive. He discusses funding issues and concerns. He discusses addressing the issues regarding Chumash SB18. He also feels there is a need to address natural area plans.

**Paul Teixeira:** thanks staff and Planning Commission. He discusses the need for funding. He comments on the need for parks for the future generations.

**Eric Greening:** SLOCOG, discusses the passing of information back and forth. He speaks about his SP18 concerns regarding the Chumash. He discusses funding issues.

**Dorothy Jennings:** Comments on the many ideas exchanged. She states she looks forward to future hearings.

**Johnalee Isenes:** Thanks everyone for all of their efforts. She comments on goals without backing them with an ordinance. She discusses nature movement of animals and recommends planting natives. There should be language on the title when selling property regarding the easement for trails.

**Kathy Hustace:** gives history of the trails and states it is the old stagecoach route that is throughout the county. Each route has at least one agriculture related business.

**Jeff Oliveira:** Planning Staff, addresses SB18 and how it applies to the Parks and Recreation update. Update of the Parks and Recreation Element predates the finding of SB18. States he sent a letter to the State Native American Association and they sent back a list of recognized tribal representatives that would be affected by the proposed element update.

**Chris Clark:** comments on the tone of document and direction. He discusses policies and goals at end of the document.

**Jan DiLeo:** Parks Planner, states the coastal trails are not on the maps. Each coastal trail is listed in the document. Discusses the criteria used to decide which trails were removed.

**Pete Jenny:** Parks Manager, states the next step after this element is adopted is to prioritize which projects are the most important and the third step is how the Parks will pay for them.

**Commissioner Christie:** Coastal Trail was mentioned in element, but most people look at a map. Can we amend the map to provide a general indication of the coastal trails, with staff responding yes.

**Commissioner Mehlschau:** states the element will be heard July 13, 2006 at the Planning Commission. He asks if the element will be noticed for the whole project or will it be broken up by chapters.

**Peter Jenny:** Parks Manager, recommends the commission review the element by working their way through the Chapters. The project list will be announced as a date certain to allow the public the opportunity to attend.

**Commissioner Rappa:** she requests the commissioner's receive the staff reports early enough for adequate review and they include background information.

**Commissioner Roos:** agrees with noticing for certain projects.

**On motion of Commissioner Rappa, seconded by Commissioner Roos, and unanimously carried, the commission receives all documents presented today for the record.**

There being no further business, the meeting is adjourned at 12:00 p.m.

Respectfully submitted,  
Eleanor Porter, Secretary  
County Planning Commission